KARNATAKA CO-OPERATIVE SOCIETIES (SECOND AMENDMENT) BILL, 1980.

Motion to Consider.

SRI A. B. JAKANUR (Minister for Co-operation).—Sir, I beg to move—

"That the Karnataka Co-operative Societies (Second Amendment) Bill, 1980 be taken into consideration."

The question was proposed.

SRI A. B. JAKANUR.—Sir, the proviso to Section 14 A was there earlier in the Act. But somehow or other it was deleted while making amedments in 1976 or 1969. The Reserve Bank of India has also informed that the proviso should be kept and the amalgamation. division or reorganisation of co-operative banks should not be done without the prior sanction of the Reserve Bank. This is as per the advice given by the Reserve Bank and it is in the best interests of banking business. With these words, I request the hon. Members to give their consent to the passing of this Bill.

4-00 P. M.

SRI P. RAMADEV.—In the Act 70 of 1976 that proviso is still there.

† SRI M. C. NANAIAH (Madikeri).—Now when the amendment Act 19 of 1976 was passed, there was no amendment to delete this particular proviso. When the Act 70 of 1976 came into force it was found that this proviso was not there. Now since this government wants to bring this amendment again, I want to know from the Hon. Minister whether this explanation is necessary or not. There was lot of opposition when Section 14 A dealing with amalgamation, division or reorganisation of these institutions, was first introduced in the year 1975. Section 14 A was iutroduced with the object of making viable the institutions which were dormant, which were not capable of carrying out their duties effectively and which required to be amalgamated with other institutions. Many good institutions have been merged with bad institutions and the institutions which required to be liquidated, got themselves merged with big institutions As a result, what happened was that even the institutions which were working well, became weak on account of their merger with bad institutions. Probably government may have taken action at that time by liquidating such of the institutions which were dormant or were not carrying out their duties in accordance with the provisions

of the Act. The Government is bringing this amendment so as to make it applicable to the co-operative banks. As far as cooperative banks are concerned, whereas in urban co-operative banks and the rural co-operative banks you find individual members, in D. C. C. banks individual membership is not there. So, the Government should specify now whether this amendment will apply also to the D. C. C. Banks where individual membership is not there. As far as urban co-operative banks are concerned, even to start them today the permission of the Reserve Bank is necessary. Every urban co-operative bank is today governed by the Negotiable Instruments Act and the Banking Regulation Act. So, I do not find any reason why the Government should make use of Section 14 A. Suppose, the Government for some reason or the other think that the Malleswaram Co-operative Bank should be merged with the Rajajinagar Urban Co-operative Bank for the purpose of making them viable, the question may come up as to why not we amalgamate these particular institutions after we take the consent of the Reserve Bank. My humble suggestion to the hon. Minister is that Section 14 A should not be made applicable to co-operative banks. I would rather say that Section 14 A shall have no application so far as co-operative banks are concerned, because the main object of Section 14 is to bring about viability in the working of co-operative institutions in the rural areas. Section 14 A is predominantly meant for agricultural credit institutions and not for urban co-operativs banks where they do not deal in agricultural credit. My sincere appeal to the Hon. Minister is to allow the urban co-operative banks and the D. C. C. banks to function without interference or without the apprehension of their merger with any other institution. I welcome this amendment in so far as it makes it necessary for the Government to take the consent of the Reserve Bank, so far as co-operative banks are concerned. While doing so, I would like to suggest to the Government that while bringing the wholesale amendment to the Act, the government must bear in mind that Section 14 A in so far as it relates to the co-operative banks, shall have no application. With these words, I welcome this amendment because it seeks to give power to the Government to seek the consent of the Government of India.

SRI VEERASHETTY KUSHNOOR (Bidar)—Sir, as far as Sri Nanaiah's views are concerned with regard to Section 14 A relating to the co-operative banks, I wish to point out that there are certain D. C. C. Banks which are not functioning well not only in Karnataka but all over India.

Even now, co-operative banks will come under the definition of co-operrtive societies. Even the Apex Bank will come under the

definition of co-operative societies. When the state level institutions come under the definition of Societies, certainly the Government will have the right to amalgamate them under Section 14 A. Therefore, the Government thought that when they exercise power under section 14 A, they will have to take the consent of the Reserve Bank because the Reserve Bank is advancing loans, share capital etc. It was, therefore, thought necessary that this provision must be there. A time will come when two or three D. C. C. Banks may have to be amalgamated into one strong D. C. C. Bank in order to make them viable and enable them to cater to the needs of the agriculturists.

ಶ್ರೀ ಪಿ. ರಾಂದೇವ್ (ಮಲ್ಲೇಶ್ವರಂ).—ಮಾನ್ಯ ಸಭಾಧ್ಯಕ್ಷರೆ, ಮಾನ್ಯ ಸಚಿವರು ಈ ದಿವಸ ಸದನದಮುಂದೆ ಕೋಆಪರೇಟಿವ್ ಬ್ಯಾಂಕ್‌ಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟಂತಹ ತಿದ್ದುಪಡಿಯನ್ನು ಮಂಡಿಸಿದ್ದಾರೆ. ಈಗಾಗಲೇ ಮಾನ್ಯ ಸದಸ್ಯರಾದ ಶ್ರೀಮಾನ್ ನಾನಯ್ಯನವರು ತಿಳಿಸಿದಂತೆ ಬಹುಶಃ ಇದು ಅರ್ಬನ್ ಕೋ ಆಪರೇಟಿವ್ ಬ್ಯಾಂಕ್‌ಗಳಿಗೆ ಅನ್ವಯ ಮಾಡುವುದಕ್ಕೆ ಆಗುವುದಿಲ್ಲವೆಂದು ಕಾಣಿಸುತ್ತದೆ. ಕಾರಣ ಈಗಾಗಲೇ ನಾವು ಈ ಅರ್ಬನ್ ಕೋ ಆಪರೇಟಿವ್ ಬ್ಯಾಂಕ್‌ಗಳ ಮೇಲೆ ನಮ್ಮ ಹೆತೋಟಿಯನ್ನು ಕಳೆದುಕೊಂಡಿದ್ದೇವೆ. ಕೋ ಆಪರೇಟಿವ್ ಡಿಪಾರ್ಟ್‌ಮೆಂಟ್ ಅಥವಾ ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಕೆಲಸ ಕೇವಲ ರಿಜಿಸ್ಟ್ರೇಷನ್ ಮಾಡುವುದರಲ್ಲಿ ಮತ್ತು ಆಡಿಟ್ ಮಾಡುವುದರಲ್ಲಿ ಮಾತ್ರ. ಅಡ್ಮಿನಿಸ್ಟ್ರೇಷನ್‌ಗೆ ಸಂಬಂಧಪಟ್ಟಂತೆ ಫೈನಾನ್ಸಿಯಲ್ ಕಂಟ್ರೋಲ್ ಏನಿದೆ ಅದರ ಬಗ್ಗೆ ಏನೇನೂ ಹತೋಟಿ ಇಲ್ಲ.

ಈವತ್ತಿನ ದಿವಸ ಯಾವುದೇ ಬ್ಯಾಂಕನ್ನು ಪ್ರಾರಂಭಮಾಡಬೇಕೆಂದರೆ ರಿಸರ್ವ್ ಬ್ಯಾಂಕ್ ಪರ್ಮಿಷನ್ ಇಲ್ಲದೆ ಸಾಧ್ಯವಾಗುವುದಿಲ್ಲ. ಇಂಥ ಒಂದು ಸಂದರ್ಭದಲ್ಲಿ ನೀವು ಏನು ಅಮಾಲ್ಗಮೇಟ್ ಮಾಡಬೇಕೆಂದು ಹೇಳಿದ್ದೀರಿ, ಬಹುಶಃ ಒಂದು ಡಿಸ್ಟ್ರಿಕ್, ಒಂದು ಜಿಲ್ಲಾಮಟ್ಟದಲ್ಲಿ ಒಂದು ರಾಜ್ಯಮಟ್ಟದಲ್ಲಿ ಸಾಧ್ಯವೇ ಹೊರತಾಗಿ ಪ್ರೈಮರಿ ಕೋ ಆಪರೇಟೀವ್ ಬ್ಯಾಂಕ್‌ಗಳನ್ನು ಅಮಾಲ್ಗಮೇಟ್ ಮಾಡಲು ಸಾಧ್ಯವಾಗುವುದಿಲ್ಲವೆಂದು ನನಗನಿಸುತ್ತದೆ. ಇದರಲ್ಲಿ ಒಂದು ವಿಷಯ ನನಗನಿಸುವುದೇನೆಂದರೆ ಅಮಾಲ್ಗಮೇಟ್ ಮಾಡಬೇಕು ಎನ್ನುವ ಸಂದರ್ಭದಲ್ಲಿ ಸರ್ವ ಸದಸ್ಯರ ಅಭಿಪ್ರಾಯವನ್ನು ಪಡೆದು ಜನರಲ್‌ಬಾಡಿ ಅವಕಾಶ ವಿದ್ದಂತೆ. ಕಾರಣಂವುದಿಲ್ಲ. ಸಾಮಾನ್ಯವಾಗಿ ಜನರಲ್‌ಬಾಡಿ ಎಂದು ಹೇಳಿದರೆ ಅದು ಸುಪ್ರೀಂ ಆಗಿರುತ್ತದೆ. ಆದ್ದರಿಂದ ಎರಡೂ ಪ್ರೈಮರಿ ಬಾಂಕ್‌ಗಳನ್ನು ಅಮಾಲ್ಗಮೇಟ್ ಮಾಡಬೇಕೆಂದು ಪ್ರಯತ್ನ ಮಾಡಿದರೇನೇನು ಅನಾಹುತವಾಗುತ್ತದೆಂಬುದನ್ನು ಹೇಳುವುದಕ್ಕೆ ಸಾಧ್ಯವಾಗುವುದಿಲ್ಲ. ಇಂಥ ಒಂದು ಸಂದರ್ಭದಲ್ಲಿ ನನಗನಿಸುತ್ತದೆ ಸರ್ವಸದಸ್ಯರ ಸಭೆಯ ಅಭಿಪ್ರಾಯ ಬಹಳ ಅವಶ್ಯಕತೆ ಇರುತ್ತದೆ. ಇಲ್ಲದೆ ಹೊದರೆ ರಾಜಕೀಯವಾಗಿ ದುರುಪಯೋಗ ಮಾಡಿಕೊಂಡು ಈ ಬ್ಯಾಂಕುಗಳನ್ನು ತಮ್ಮ ಹತೋಟಿಯಲ್ಲಿ ತರಬೇಕೆನ್ನುವ ದೃಷ್ಟಿಯಿಂದ ಕೆಲಸ ಮಾಡಲು ಅವಕಾಶವಾಗುತ್ತದೆ. ಆದ್ದರಿಂದ ತಮಗೆ ಒಂದು ಸಲಹೆಯನ್ನು ಕೊಡುವುದೇನೆಂದರೆ ಸರ್ವಸದಸ್ಯರ ಅನುಮತಿ ಇಲ್ಲದೆ ಕರೆದು ಮೆಂಬರ್ಸ್‌ನ್ನು ಅಮಾಲ್ಗಮೇಷನ್ ಮಾಡದಂತೆ ಒಂದು ಸಮಗ್ರವಾದ ಕಾನೂನನ್ನು ತರಬೇಕೆಂದು ಹೇಳಿ ನನ್ನ ಮಾತುಗಳನ್ನು ಮುಗಿಸುತ್ತೇನೆ.

SRI B.B SAYANAK (Belgaum).—Sir, I rise to support this Bill. The Karnataka High Court has upheld the amendment of Section 14A *i.e.*, the amalgamation of Societies and people in the villages are going to the Supreme Court. Regarding amalgamation of Societies, What Sri Nanaiah has said is perfectly right. Some defunct societies has been amalgamated with very good Societies. People are not in favour of this type of amalgamation. If thereare so many defunct Societies , it is better to liquidate them, instead of amalgamating these defunct societies with very good societies. There are so many Writ Petitons in the

High Court filed by the people of my area The co-operative movement should help the people of the weaker sections. In order to see that the co-operative movement is successful, the Government should not amalgamate the defunct scoieeies with the good societies.

With these words, I thank the Chair and conclude my speech.

SRI A. B, JAKANUR (Minister for Co-operation). The Hon. Member Sri Sayanak has welcomed this Amendment. While welcoming this Bill, he made some very good suggestions. The Government will consider all those suggestions at an appoprate time.

ಇನ್ನು ಪಾನ್ಯ ರಾಮ್‌ದೇವ್‌ರವರು ಮಾತನಾಡುತ್ತಾ ಹೇಳಿದರು ಅಮಾಲ್ಗಮೇಷನ್ ಮಾಡ ತಕ್ಕಂಥ ಸಂದರ್ಭದಲ್ಲಿ ಜನರಲ್‌ಬಾಡಿ ಮೀಟಿಂಗನ್ನು ಕರೆದು ಅವರ ಅಭಿಪ್ರಾಯವನ್ನು ಕೇಳಬೇಕು ಎನ್ನುವ ಮಾತನ್ನು ಅವರು ಎತ್ತಿ ತೋರಿಸಿದ್ದಾರೆ. ಅಮಾಲ್ಗಮೇಟ್ ಮಾಡುವಾಗ ಎಲ್ಲ ಮೆಂಬರ್ಸ್‌ನ್ನು ಅಂದರೆ ಸಮಾರು ಮುನ್ನೂರು ಐನೂರು, ಒಂದುಸಾವಿರ ಮೆಂಬರ್ಸ್‌ಗಳು ಏನು ಇರುತ್ತಾರೆ ಅವರ ನ್ನೆಲ್ಲ ಕರೆದು ಕೇಳುವುದಕ್ಕೆ ವ್ಯವಸ್ಥೆ ಮಾಡಬೇಕೆಂದು ಏನು ಹೇಳಿರುತ್ತಾರೆ ಇದು ಸಾಧ್ಯವಾಗುವುದಿಲ್ಲ. ಹಿಂದಿನ ಸರ್ಕಾರ ೧೯೭೬ರಲ್ಲಿ ಸೆಕ್ಷನ್ ೧೪ಎ ರಲ್ಲಿ ಏನು ಪ್ರಾವಿಸೋ ಮಾಡಿರುತ್ತಾರೆ ಆಗ ಇದು ಮರೆತು ಹೋಗಿರಬಹುದು. ಇದು ಬಿಟ್ಟುಹೋಯಿತಲ್ಲ ಮತ್ತೆ ಇದನ್ನು ಸೇರಿಸಬೇಕು ಇದು ಅವಶ್ಯಕತೆ ಇದೆ ಎಂದು ಕಂಡುಬಂದುದರಿಂದ ಇದನ್ನು ತಂದಿದ್ದೇವೆ ಆದ್ದರಿಂದಇದನ್ನು ಸ್ವಾಗತಿಸಿ ಇದು ಒಂದು ಒಳ್ಳೆಯ ಸಲಹೆಯೆಂದು ತೆಗೆದುಕೊಂಡು ದಯವಿಟ್ಟು ಎಲ್ಲರೂ ಒಪ್ಪಿ ಒಮ್ಮತದಿಂದ ಪಾಸ್ ಮಾಡಬೇಕೆಂದು ಕೇಳಿ ಕೊಳ್ಳುತ್ತೇನೆ.

CHAIRMAN:—The question is:

"That the Karnataka Co-operative Societies (Second Amendment) Bill, 1980 be taken into consideration."

The Motion was adopted

CLAUSE—2

CHAIRMAN:—The question is:

"That Clause 2 do stand part of the Bill."

The Motion was adopted Clause 2 was added to the Bill.

CLAUSE 1 etc.,

CHAIRMAN.—The question is:

"That Clause 1, the long Title the Preamble and the enacting formula do stand part of the Bill."

The Motion was adopted

Clause 1, the long Title, the Preamble at the enacting formula were added to the Bill.

MOTION TO PASS

SRI A.B.J AKANUR (Minister for Co-Operation)Sir, I Beg to move:

"That the Karnataka Co-operative Societies (Second Amendment) Bill, 1980 be passed

CHAIRMAN.—

The question is:

"That the Karnataka Co-operative Societies (Second Amendment) Bill, 1980 be passed."

The Motion was adopted and the Bill was passed.

THE KAKNATAKA DEBT RELIEF BILL, 1980

MOTION TO CONSIDER

SRI A.B. JAKANUR (Minister for Co-operation).—

I beg to move:

"That the Karnataka Debt Relief Bill, 1980 be taken into consideration."

(The question was proposed)

I would like to mention the salient features of this Bill. Sir, this Bill has been introduced mainly to provide relief from indebtedness to small farmers, land less agricultural labourers and weaker sections of the people, in the State of Karnataka. Accordingly, in the definition, we have stated who is a small farmer, agricultural labourer, Horticulturist etc.,

(SRI H. T. KRISHNAPPA in the Chair)

Instead of two units, I have sought an amendment for one unit. Just now I have sent a notice of that amendment.

MR. SPEAKER Please explain the general and salient features of the Bill, if necessary, You need not explain if you feel that the Bill iself is self-explanatory.

SRI A B JAKNUR—An Ordinance was issued in 1979 and to replace that ordinance this Bill has been brought. After the enactment of Karnataka Debt Rellef Act. It was represented that there should be some revisionary powers to be invested with the Deputy Commissioners. Accordingly that provision has also been made. The income limit of weaker sections has been increased from Rs. 2,400 to Rs. 4,800/-. These are the important features on which the discussion may start.